

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN ANDEREGG,

Defendant.

SCHEDULING ORDER

24-cr-50-jdp

At the July 25, 2024 telephonic scheduling conference, this court set the following schedule:

1) In response to the defendant's Rule 16 demand, the government already has provided its required disclosures and has a continuing disclosure obligation throughout this case. The government and its agents are ordered to preserve rough notes and similar data compilations for possible disclosure later in this case. Pursuant to Rule 12, the government reports that it intends to use all disclosed evidence in its case-in-chief at trial.

2) Defendant must file and serve any pretrial motions and discovery requests not later than September 23, 2024. Pursuant to 18 U.S.C. § 3161(h)(7), time from the arraignment until the deadline to file pretrial motions is excluded from the speedy trial clock regardless whether motions are filed. The ends of justice and the Sixth Amendment require that defendant and defense counsel receive adequate time to review the government's disclosures, investigate this case, then make tactical decisions whether to file motions and which motions to file. Briefs need not accompany motions. To obtain an evidentiary hearing on a motion, defendant must ask for it in the caption of each such motion and must submit admissible facts establishing a prima facie entitlement to the relief requested. *See U.S. v. Edgeworth*, 889 F.3d 350, 353-54 (7th Cir. 2018).

3) Judge Peterson will hold a telephonic pretrial motion hearing on September 26, 2024 at 1:00 p.m. The court will rule on each motion or set it for briefing. Judge Peterson also will set deadlines for expert disclosures and *Daubert* challenges.

4) Submissions for the final pretrial conference, namely proposed voir dire questions, jury instructions and motions in limine, must be filed and served not later than January 24, 2025.

6) The telephonic final pretrial conference shall be January 30, 2025, at 9:00 a.m.

7) The final hearing before Judge Peterson will be February 12, 2025, at 2:30 p.m. Defendant and trial counsel must attend this hearing.

8) Jury selection and trial shall begin Tuesday, February 18, 2025 at 9:00 a.m. The predicted trial length is two to three days. The parties are jointly responsible for promptly alerting the clerk of court if a jury need not be called.

Entered this 25th day of July, 2024.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge